

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**USDC SDNY  
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DATE FILED: NOV 13 2012**

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Cedillo,

Plaintiff,

-v-

CN Cobbler Shop Int, *et al.*,

Defendants.  
-----X

12 Civ. 4225 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

On September 27, 2012, the parties submitted a proposed settlement agreement for court approval. The parties also submitted a letter in support of the settlement agreement. The Court has received and reviewed these materials and declines at this time to approve the settlement for two reasons.

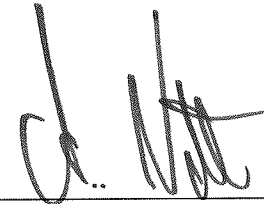
First counsel for Plaintiff has failed to provide sufficient support for their attorney's fees, particularly in light of Plaintiff's negotiated recovery. From the information provided, it appears that attorney's fees constitute approximately forty-five percent of the negotiated settlement. No support is provided for the attorneys receiving such a significant percentage of the award.

Second, the agreement indicates that it is confidential. However, settlement agreements in Fair Labor Standards Act ("FLSA") cases may not be kept out of the public record. *See Wolinsky v. Scholastic, Inc.*, 2012 WL 2700381, at \*4-6 (S.D.N.Y. July 5, 2012).

In light of the foregoing, the parties are hereby ORDERED to submit a letter to the Court—one which the parties are prepared to have entered onto the public record—on or before November 27, 2012 providing additional information.

SO ORDERED.

Dated: November 13, 2012  
New York, New York



ALISON J. NATHAN  
United States District Judge